



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

SEP 28 2018

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Art Martinez
PSP Diesel, LLC
1215 Iowa Street
South Houston, TX 77587

Re: Finding of Violation for Clean Air Act Violations

Dear Mr. Martinez:

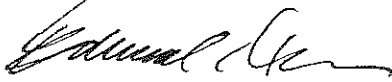
The U.S. Environmental Protection Agency is issuing the enclosed Finding of Violation (FOV) to PSP Diesel, LLC (PSP) for violating Section 203(a)(3)(A) and (B) of the Clean Air Act (CAA), 42 U.S.C. § 7522(a)(3)(A) and (B). As summarized in the attached FOV, EPA determined that PSP removed and/or rendered inoperative devices or elements of design installed on or in motor vehicles or motor vehicle engines, and has manufactured, installed, sold or offered to sell parts or components for motor vehicle engines that bypass, defeat, or render inoperative elements of design of those engines that were installed by the original equipment manufacturer in order to comply with CAA emission standards.

We are offering you an opportunity to confer with us about the violations alleged in the FOV. The conference will give you an opportunity to present information on the specific findings of violation, any efforts you have taken to comply and the steps you will take to prevent future violations. In addition, in order to make the conference more productive, we encourage you to submit to us any information responsive to the FOV prior to the conference date.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The EPA contact in this matter is Sarah Clark. You may call her at (312) 886-9733 to request a conference. You should make the request within 10 calendar days following receipt of this letter. We should hold any conference within 30 calendar days following receipt of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward Nam", with a stylized flourish at the end.

Edward Nam
Director
Air and Radiation Division

Enclosure

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

PSP Diesel, LLC
South Houston, TX

Proceedings Pursuant to
The Clean Air Act,
42 U.S.C. §§ 7401–7671q

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FINDING OF VIOLATION

EPA-5-18- MOB-1

FINDING OF VIOLATION

The U.S. Environmental Protection Agency (EPA) is issuing this Finding of Violation to PSP Diesel, LLC (“PSP” or “you”) for violating Sections 203(a)(3)(A) and (B) of the Clean Air Act (CAA), 42 U.S.C. § 7522(a)(3)(A) and (B).

Statutory and Regulatory Background

1. Title II of the CAA was enacted to reduce air pollution from mobile sources. In enacting the CAA, Congress found, in part, that “the increasing use of motor vehicles...has resulted in mounting dangers to the public health and welfare.” CAA § 101(a)(2), 42 U.S.C. § 7401(a)(2). Congress’s purpose in enacting the CAA included “to protect and enhance the quality of the Nation’s air resources so as to promote the public health and welfare and the productive capacity of its population,” and “to initiate and accelerate a national research and development program to achieve the prevention and control of air pollution.” CAA § 101(b)(1)–(2), 42 U.S.C. § 7401(b)(1)–(2).
2. Section 216(2) of the CAA defines “motor vehicle” as “any self-propelled vehicle designed for transporting persons or property on a street or highway.” *see also* 40 C.F.R. § 85.1703 (further defining “motor vehicle”). These definitions are based on vehicle attributes (e.g., ability to travel over 25 miles per hour, lack of features that render street use unsafe) and make no exemption for vehicles based on their use (e.g., claim that a vehicle is used solely for competition).
3. EPA promulgated emission standards for particulate matter (PM), nitrogen oxides (NO_x), and other pollutants applicable to motor vehicles and motor vehicle engines, including heavy-duty diesel engine (“HDDE”) trucks, under Section 202 of the CAA, 42 U.S.C. § 7521. *See generally* 40 C.F.R. Part 86. HDDE emission standards “reflect the greatest degree of emission reduction achievable through the application of [available] technology.” CAA § 202(a)(3)(A)(i), 42 U.S.C. § 7521(a)(3)(A)(i).
4. Section 203(a)(1) of the CAA, 42 U.S.C. § 7522(a)(1), prohibits a manufacturer of motor vehicles or motor vehicle engines from selling a new motor vehicle or motor vehicle engine in the United States unless the motor vehicle or motor vehicle engine is covered

by a certificate of conformity (COC). EPA issues COCs to motor vehicle and motor vehicle engine manufacturers under Section 206(a) of the CAA, 42 U.S.C.

§ 7525(a), to certify that a particular group of motor vehicles and motor vehicle engines conform to applicable EPA requirements governing motor vehicle emissions. The COC will include, among other things, a description of the diesel engine, their emission control systems, all auxiliary emission control devices and the engine parameters monitored.

5. HDDE manufacturers employ many devices and elements of design to meet emission standards. "Element of design" means "any control system (i.e., computer software, electronic control system, emission control system, computer logic), and/or control system calibrations, and/or the results of systems interaction, and/or hardware items on a motor vehicle or motor vehicle engine." See 40 C.F.R. §§ 86.094-2 and 86.1803-01.
6. To meet the emission standards in 40 C.F.R. Part 86 and qualify for a COC, HDDE manufacturers may utilize control devices or elements of design such as Exhaust Gas Recirculation (EGR), Diesel Oxidation Catalyst (DOC), Diesel Particulate Filter (DPF), and/or Selective Catalytic Reduction (SCR) systems.
7. HDDE manufacturers may also employ engine fueling strategies, such as retarded fuel injection timing, as a primary element of design to limit emissions of NOx. See 59 Fed. Reg. 23,264 at 23,418 (May 5, 1994) ("[I]njection timing has a very significant impact on NOx emission rates, with advanced timing settings being associated with higher NOx...").
8. Modern HDDE trucks are equipped with electronic control modules ("ECMs"). ECMs continuously monitor engine and other operating parameters and control the emission control devices and elements of design, such as the EGR, DOC, DPF, and SCR systems and the engine fueling strategy.
9. Under Section 202(m) of the CAA, 42 U.S.C. § 7521(m), the EPA promulgated regulations for motor vehicles manufactured after 2007 that require diesel engine motor vehicles to have numerous devices or elements of design that, working together, can detect problems with the vehicle's emission-related systems, alert drivers to these problems, and store electronically-generated malfunction information. 40 C.F.R. §§ 86.005-17, 86.007-17, 86.1806-05. These devices or elements of design are referred to as "onboard diagnostic systems" or "OBD" systems.
10. Section 203(a)(3)(A) of the CAA prohibits "any person to remove or render inoperative any device or element of design installed on or in a motor vehicle or motor vehicle engine in compliance with regulations under [Title II of the CAA] prior to its sale and delivery to the ultimate purchaser, or for any person knowingly to remove or render inoperative any such device or element of design after such sale and delivery to the ultimate purchaser."
11. Section 203(a)(3)(B) of the CAA prohibits "any person to manufacture or sell, or offer to sell, or install, any part or component intended for use with, or as part of, any motor vehicle or motor vehicle engine, where a principal effect of the part or component is to bypass, defeat, or render inoperative any device or element of design installed on or in a

motor vehicle or motor vehicle engine in compliance with regulations under [Title II of the CAA], and where the person knows or should know that such part or component is being offered for sale or installed for such use or put to such use.”

Background

12. PSP is a diesel engine motor vehicle repair shop and diesel engine motor vehicle aftermarket parts seller and installer located in South Houston, Texas.
13. PSP is a “person,” as defined in Section 302(e) of the CAA, 42 U.S.C. § 7602(e).
14. On September 22, 2016, EPA’s National Enforcement Investigations Center (NEIC) inspectors conducted a CAA inspection of PSP’s repair shop. Inspectors gathered evidence that PSP removed emission control components: inspectors (1) observed a pile of discarded exhaust components; and (2) inspected three Ford HDDE trucks, registered in the state of Texas, with the EGR, DOC, DPF, and/or SCR removed. Inspectors found evidence that PSP sold and installed: (1) hardware components or “kits,” such as Flo~Pro race pipes, designed to disable, remove, or bypass the DOC, DPF and/or SCR emission control systems on registered HDDE motor vehicles, such as Ford and General Motor trucks with Power Stroke and Duramax engines; and (2) “tuners,” such as the SCT Performance 7015 X4 Power Flash Programmer, that through the application of custom ‘tunes,’ are designed to reprogram the ECM of an HDDE motor vehicle to defeat, render inoperative, or allow for the disabling, removal, or bypass of the EGR systems.
15. On March 9, 2018, EPA issued to PSP a request for information under Section 208 of the CAA, 42 U.S.C. § 7542, requesting information related to PSP’s production, sale, distribution, and installation of diesel engine motor vehicle and diesel engine parts or components between January 1, 2017 and March 16, 2018.
16. On May 30, 2018, EPA received PSP’s initial response to EPA’s request for information that included purchase receipts and invoices spanning the requested time period.
17. On July 10, 2018, EPA sent PSP an email requesting information related to PSP’s customer vehicle information and specific details regarding certain products and services.
18. On August 28, 2018, in the response to EPA’s email, PSP provided invoices and detailed descriptions of certain products and services.
19. The invoices included the sale, offering for sale, and/or installation of at least 136 parts or components that disabled, removed, bypassed, defeated, or rendered inoperative emission controls, such as “EGR DELETE” kits (hardware components designed to remove, disable, or bypass EGR systems) and “DPF/CAT DELETE PIPES” (hardware components designed to remove or bypass DPF and/or DOC systems) for use with, at least, Ford 6.0, 6.4 and 6.7L Power Stroke engines, General Motors 6.6L Duramax engines, and Dodge Ram 2500-3500 trucks with 6.7L Cummins engines. Manufacturers of these parts or components included, at least, No Limit Fabrication and Flo~Pro Performance Exhaust. The invoices for this work are summarized in Attachment A under “Delete Kit(s).”

20. The invoices identify the sale, offering for sale, and/or installation by PSP of at least 138 tune and/or tuner products between the period of January 1, 2017 through March 16, 2018, including, but not limited to, products manufactured by BD-POWER, EDGE, EFILive, H&S, PPEI/EZLYNK, and SCT as well as tunes that PSP sold as "FLASH, performance tuning." These tune and/or tuner products render inoperative the original programming of a HDDE truck's ECM and alter the fueling strategy within an ECM's electronic calibrations and/or modify an ECM's calibrations governing emission control devices to disable and/or allow for removal of a EGR, DOC, DPF, or SCR system without illuminating a malfunction indicator lamp in the truck's OBD system, prompting any diagnostic trouble code in the OBD system, or causing any engine derating or malfunctioning due to deactivation or removal of an emission control device. The invoices for this work are summarized in Attachment A under "Defeat Tuner or Tune(s)."
21. The invoices included at least 50 sales and/or installations of "ODAWG's Diesel Ported Intake 6.0L" or "PORTED STAGE 3 INTAKE." On PSP's website (pspmotorsports.com), this product, which is designed for use in 2003-2007 Ford 6.0L Power Stroke F250/550/Excursion engines, advertises a "150-200 degree exhaust gas temperature (EGT) drop" and claims at the bottom of the description, "NOTE: This component is for competition and off-road use only." Comparing images of the two ports on an OEM intake manifold to the one large port on this aftermarket intake manifold indicates that this product does not contain an EGR port to allow exhaust air to recirculate into the engine, thus this product has the principal effect of rendering inoperative the EGR. The invoices for this work are summarized in Attachment A under "Ported Intake(s)."
22. The invoices included at least 65 sales and/or installations of "6.0L REROUTE KIT FOR PORTED INTAKES," "6.0L Ported Intake Coolant Reroute Kit," "REROUTE 6.0L," or "PSP PORTED INTAKE COOLANT REROUTE KIT." On PSP's website (pspmotorsports.com), this product, which is designed for use in 2003-2007 Ford 6.0L Power Stroke F250/550/Excursion engines, states the following: "Fully ported intakes no longer have the internal coolant passages that carry coolant from the oil cooler top plate, through the EGR Cooler, and into the front cover. In order to maintain the flow of coolant through the system, a bypass is needed...Each kit comes with everything you will need to run a fully ported intake." Since this product directly facilitates the use of the ported intakes described in Paragraph 21, above, and serves to replace the coolant recirculation functionality of the EGR, this product has the principle effect of bypassing the EGR. The invoices for this work are summarized in Attachment A under "Reroute Kit(s)."
23. The parts and/or components manufactured, sold, offered for sale, and/or installed by PSP are intended for "motor vehicles" as defined by Section 216(2) of the CAA, 42 U.S.C. § 7550(2). Specifically, the parts and/or components are designed for use on makes and models of HDDE motor vehicles, including Ford Motor Company (Power Stroke engine), General Motors (Duramax engine), and Dodge (Cummins engine) pick-up trucks, for which their respective manufacturers have obtained COCs establishing compliance with CAA emissions standards.

24. The results of EPA's September 22, 2016 inspection and the information provided by PSP show that PSP knowingly removed or rendered inoperative the air pollution emission control devices or elements of design installed on or in such HDDE trucks in compliance with Title II of the CAA.
25. The information provided by PSP shows that, between January 1, 2017 through March 16, 2018, PSP manufactured, sold, offered for sale, and/or installed at least 390 parts or components intended for use with, or as part of, any motor vehicle or motor vehicle engines, where a principal effect of each part or component is to bypass, defeat, or render air pollution emission control devices or elements of design installed on or in motor vehicles and motor vehicle engines in compliance with Title II of the CAA, and PSP knew or should have known that such part or component was being offered for sale or installed for such use or put to such use.
26. EPA finds that the parts and components manufactured, sold, offered for sale, or installed by PSP are intended for "motor vehicles" as defined by Section 216(2) of the CAA. As a legal matter, there is no "off-road use only" or "competition only" exemption under the CAA for motor vehicles or motor vehicle engines. "Motor vehicle" is defined as "any self-propelled vehicle designed for transporting persons or property on a street or highway." CAA § 216(2); 42 U.S.C. § 7550(2); *See also* 40 C.F.R. § 85.1703 (further defining "motor vehicle"). These definitions make no exemption for motor vehicles or motor vehicle engines used for competition.¹ More generally, these definitions are based on vehicle attributes (*e.g.*, ability to travel over 25 miles per hour, lack of features that render street use unsafe) and make no exemption for vehicles based on their use.
27. The EPA has consistently adhered to the plain language definition of "motor vehicle." *See, e.g.*:
 - a. 39 Fed. Reg. 32,609 (Sept. 10, 1974) (EPA rejecting proposal to exempt from the definition of "motor vehicle" certain vehicles "based solely on the intended use by the purchaser" because "[t]he Agency views a policy of exclusion based upon owner intent to be virtually unmanageable and inconsistent with the Act because vehicles with on-road, off-road capabilities are typically operated in both situations");
 - b. EPA, *Fact Sheet: Exhaust System Repair Guidelines* (Mar. 13, 1991) (explaining that "it is not legal for anyone to 'de-certify' a motor vehicle for 'off-road' use," and that it is not legal to bypass, defeat, or render inoperative a motor vehicle emission control system as that system was designed by the manufacturer, even where that system was already defeated);

¹ In contrast, the CAA exempts from the definition of "nonroad vehicle" and "nonroad engine" those vehicles and engines used solely for competition. CAA § 216(10)-(11); 42 U.S.C. § 7550(10)-(11). EPA has implemented regulations describing how to exempt from CAA requirements nonroad vehicles and engines used solely for competition. 40 C.F.R. § 1068.235. These regulations explicitly do not apply to motor vehicles and motor vehicle engines. 40 C.F.R. § 85.1701(a)(1).

- c. EPA fact sheet describing settlement of *United States v. Casper's Electronics, Inc.*, Civ. No. 1:06-cv-03542 (N. D. Ill.) (July 10, 2007), <http://www2.epa.gov/enforcement/caspers-electronics-inc-clean-air-act> (last visited September, 2018) ("These [defeat] devices were advertised for 'off road use only' or 'non-road use only.' However, the O₂ Sims were designed and marketed to be used in regular production vehicles ('on road or 'on highway' vehicles), which is illegal under the Clean Air Act."); and
- d. EPA Presentation at November 2010 Specialty Equipment Market Association Show, *Diesel Aftermarket Parts Discussion* ("Question 1: Am I protected from selling a defeat device or tampering as long as I inform my customers that they can only use my parts 'off-road' or 'for racing use only' or that the parts are 'not for installation on emission-controlled vehicles'? Answer: No, if the parts are designed for and intended to be installed on certified motor vehicles, EPA considers you to still be liable under the CAA prohibited acts.").

Violations

28. Between January 1, 2017 through March 16, 2018, PSP knowingly removed and/or rendered inoperative devices or elements of design installed in or on HDDE motor vehicles by installing or modifying software on the HDDE ECMs to allow the HDDEs to operate without EGR, DOC, DPF, and/or SCR systems and installing parts or components that removed and/or bypassed EGR, DOC, DPF, and/or SCR systems, in violation of Section 203(a)(3)(A) of the CAA, 42 U.S.C. § 7522(a)(3)(A).
29. Between January 1, 2017 through March 16, 2018, PSP manufactured, sold, offered to sell, and/or installed parts and/or components intended for use with, or as part of, a motor vehicle or motor vehicle engine, where a principal effect of the part or component was to bypass, defeat or render inoperative the engine fueling strategy, EGR, DOC, DPF, SCR, OBD systems and/or other elements of design on motor vehicles and motor vehicle engines, and PSP knew or should have known that such part or component was being offered for sale or installed for such use or put to such use, in violation Section 203(a)(3)(B) of the CAA, 42 U.S.C. § 7522(a)(3)(B).

Environmental Impact of Violations

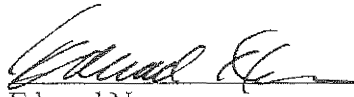
30. These violations may result in excess emissions of PM, NO_x, hydrocarbons, and other air pollutants and contribute to increased ground level ozone concentrations. PM, especially fine particulates containing microscopic solids or liquid droplets, can get deep into the lungs and cause serious health problems, including decreased lung function; chronic bronchitis; and aggravated asthma. Additionally, current scientific evidence links short-term NO_x exposures, ranging from 30 minutes to 24 hours, with adverse respiratory effects including airway inflammation in healthy people and increased respiratory symptoms in people with asthma. Exposure to ground-level ozone can also reduce lung function and inflame lung tissue; repeated exposure may permanently scar lung tissue.

Enforcement Authority

31. EPA may bring an enforcement action for these violations under its administrative authority or by referring this matter to the United States Department of Justice with a recommendation that a civil complaint be filed in federal district court. CAA §§ 204 and 205, 42 U.S.C. §§ 7523 and 7524. Any person who violates Section 203(a)(3) of CAA, 42 U.S.C. § 7522(a)(3), is subject to an injunction under Section 204 of CAA, 42 U.S.C. § 7523, and a civil penalty of up to \$4,619 for each violation. CAA § 205(a), 42 U.S.C. § 7524(a); 40 C.F.R. § 19.4.

Date

9/28/18



Edward Nam
Director
Air and Radiation Division

Attachment A

Month	Invoice No.	One or more Delete Kit(s) Sold/ Installed	One or more Defeat Tuner or Tune(s) Sold/ Installed	One or more Ported Intake(s) Sold/ Installed	One or more Reroute Kit(s) Sold/ Installed
January 2017	1003887			Yes	
January 2017	1003892	Yes	Yes		
January 2017	1003904	Yes	Yes		
January 2017	1003910	Yes			
January 2017	1003920			Yes	
January 2017	1003925	Yes	Yes		
January 2017	1003926			Yes	
January 2017	1003937	Yes	Yes		
January 2017	1003941	Yes	Yes		
January 2017	1003958		Yes		
January 2017	1003966	Yes			
January 2017	1003972			Yes	Yes
January 2017	1003973	Yes	Yes		
January 2017	1003982				Yes
January 2017	1003984			Yes	
January 2017	1003998		Yes		
January 2017	1004011			Yes	
February 2017	1004016	Yes	Yes	Yes	Yes
February 2017	1004020	Yes	Yes		
February 2017	1004022	Yes	Yes		
February 2017	1004025	Yes	Yes		
February 2017	1004031	Yes	Yes		
February 2017	1004036			Yes	Yes
February 2017	1004040			Yes	
February 2017	1004042	Yes	Yes		
February 2017	1004046		Yes		
February 2017	1004049	Yes			
February 2017	1004051			Yes	
February 2017	1004056		Yes		
February 2017	1004064			Yes	Yes
February 2017	1004066		Yes		
February 2017	1004067				Yes

February 2017	1004069	Yes	Yes		
February 2017	1004070		Yes		
February 2017	1004078		Yes		
February 2017	1004079	Yes			
February 2017	1004085		Yes	Yes	
February 2017	1004091			Yes	Yes
February 2017	1004097		Yes		
February 2017	1004103	Yes		Yes	Yes
February 2017	1004112	Yes		Yes	Yes
February 2017	1004113		Yes		
February 2017	1004117			Yes	
February 2017	1004123	Yes			
February 2017	1004125		Yes		
February 2017	1004127		Yes		
February 2017	1004131	Yes			
February 2017	1004136	Yes	Yes		
February 2017	1004143	Yes	Yes	Yes	Yes
February 2017	1004149	Yes	Yes		
February 2017	1004160		Yes		
February 2017	1004168			Yes	Yes
March 2017	1004180		Yes		
March 2017	1004185	Yes	Yes		
March 2017	1004190	Yes	Yes		
March 2017	1004192		Yes		
March 2017	1004197	Yes			
March 2017	1004199			Yes	
March 2017	1004214		Yes		
March 2017	1004216		Yes		
March 2017	1004222				Yes
March 2017	1004245			Yes	
March 2017	1004247	Yes			
March 2017	1004251	Yes	Yes		
March 2017	1004257		Yes		
March 2017	1004271				Yes
March 2017	1004307		Yes		
March 2017	1004309	Yes	Yes		
March 2017	1004310	Yes			
April 2017	1004321			Yes	Yes
April 2017	1004324			Yes	Yes
April 2017	1004335	Yes	Yes		

April 2017	1004336	Yes	Yes		
April 2017	1004359				Yes
April 2017	1004366	Yes			
April 2017	1004371			Yes	
April 2017	1004395			Yes	
April 2017	1004408		Yes		
April 2017	1004413	Yes			
April 2017	1004416	Yes			
April 2017	1004418	Yes	Yes		
April 2017	1004425	Yes	Yes		
April 2017	1004426	Yes	Yes		
April 2017	1004429			Yes	
April 2017	1004437	Yes	Yes		
April 2017	1004448	Yes			
April 2017	1004454			Yes	
April 2017	1004472	Yes	Yes		
April 2017	1004476	Yes			
May 2017	1004486		Yes		
May 2017	1004510	Yes			
May 2017	1004527	Yes	Yes		
May 2017	1004529	Yes	Yes		
May 2017	1004531		Yes		
May 2017	1004536	Yes	Yes		
May 2017	1004541	Yes			
May 2017	1004564		Yes		
May 2017	1004568	Yes			
May 2017	1004569			Yes	Yes
May 2017	1004573	Yes	Yes		
May 2017	1004575		Yes		
May 2017	1004582	Yes	Yes		
May 2017	1004589		Yes		
May 2017	1004591		Yes		
May 2017	1004593				Yes
May 2017	1004595	Yes			
May 2017	1004600	Yes	Yes		
May 2017	1004601		Yes		
May 2017	1004606	Yes			
May 2017	1004617		Yes		
May 2017	1004619	Yes	Yes		
May 2017	1004626		Yes		

June 2017	1004636	Yes			
June 2017	1004639	Yes			
June 2017	1004645		Yes		
June 2017	1004653	Yes	Yes		
June 2017	1004664	Yes	Yes		
June 2017	1004668	Yes			
June 2017	1004678	Yes	Yes		
June 2017	1004687		Yes		
June 2017	1004692		Yes		
June 2017	1004705	Yes			
June 2017	1004714	Yes	Yes		
June 2017	1004722	Yes	Yes		
June 2017	1004738	Yes			
June 2017	1004740	Yes	Yes		
June 2017	1004743	Yes		Yes	Yes
June 2017	1004749	Yes	Yes		
July 2017	1004760	Yes			
July 2017	1004777			Yes	
July 2017	1004782	Yes			
July 2017	1004786	Yes			
July 2017	1004787		Yes		
July 2017	1004790			Yes	
July 2017	1004791	Yes		Yes	Yes
July 2017	1004792	Yes			
July 2017	1004809			Yes	
July 2017	1004828		Yes		
July 2017	1004836	Yes		Yes	Yes
July 2017	1004843		Yes		
July 2017	1004859	Yes			Yes
July 2017	1004860		Yes		
July 2017	1004889	Yes			
July 2017	1004897	Yes	Yes		
July 2017	1004907		Yes		
August 2017	1004920		Yes		
August 2017	1004929		Yes		
August 2017	1004936	Yes	Yes		
August 2017	1004939	Yes			
August 2017	1004945	Yes	Yes		
August 2017	1004954				Yes
August 2017	1004955				Yes

August 2017	1004969	Yes			
August 2017	1004977	Yes			
August 2017	1004979				Yes
August 2017	1005001				Yes
August 2017	1005002				Yes
August 2017	1005003		Yes		
August 2017	1005006		Yes		
August 2017	1005016		Yes		
August 2017	1005037		Yes		
September 2017	1005047				Yes
September 2017	1005048		Yes		
September 2017	1005049		Yes		
September 2017	1005054				Yes
September 2017	1005074				Yes
September 2017	1005082				Yes
September 2017	1005095		Yes		
September 2017	1005102	Yes	Yes		
September 2017	1005127		Yes		
September 2017	1005138	Yes			
September 2017	1005139	Yes	Yes		
September 2017	1005143				Yes
September 2017	1005153				Yes
September 2017	1005158	Yes			
October 2017	1005167		Yes		
October 2017	1005184	Yes	Yes		
October 2017	1005201	Yes			
October 2017	1005204				Yes
October 2017	1005205				Yes
October 2017	1005207		Yes		
October 2017	1005210	Yes			Yes
October 2017	1005211	Yes			
October 2017	1005214	Yes			
October 2017	1005218	Yes			
October 2017	1005223		Yes		
October 2017	1005224	Yes	Yes		
October 2017	1005228	Yes			Yes
October 2017	1005235	Yes	Yes		
October 2017	1005236				Yes
October 2017	1005242	Yes	Yes		
October 2017	1005254	Yes			

October 2017	1005271				Yes
October 2017	1005275	Yes	Yes		
October 2017	1005280	Yes	Yes		
October 2017	1005297	Yes			
October 2017	1005311	Yes	Yes	Yes	
November 2017	1005325				Yes
November 2017	1005326				Yes
November 2017	1005335	Yes	Yes		
November 2017	1005338	Yes			
November 2017	1005341	Yes	Yes		
November 2017	1005344			Yes	
November 2017	1005346				Yes
November 2017	1005357	Yes	Yes		
November 2017	1005365	Yes			
November 2017	1005367		Yes		
November 2017	1005370			Yes	
November 2017	1005377				Yes
November 2017	1005396			Yes	
November 2017	1005400		Yes		
November 2017	1005406			Yes	
November 2017	1005407	Yes			
November 2017	1005420	Yes			
November 2017	1005424		Yes		
November 2017	1005430				Yes
November 2017	1005433				Yes
November 2017	1005436		Yes		
November 2017	1005445				Yes
November 2017	1005446				Yes
November 2017	1005448				Yes
November 2017	1005450				Yes
November 2017	1005454		Yes		
November 2017	1005462				Yes
November 2017	1005477	Yes			
November 2017	1005482	Yes			
December 2017	1005601				Yes
December 2017	1005603				Yes
December 2017	1005604	Yes			
December 2017	1005618		Yes		
January 2018	1005623	Yes	Yes		
January 2018	1005635	Yes			

January 2018	1005636	Yes	Yes		
January 2018	1005639		Yes		
January 2018	1005640	Yes			
January 2018	1005644	Yes	Yes		
January 2018	1005646			Yes	
January 2018	1005668			Yes	
January 2018	1005669				Yes
January 2018	1005670				Yes
January 2018	1005672		Yes		
January 2018	1005681		Yes		
January 2018	1005684		Yes		
January 2018	1005692	Yes			
January 2018	1005709	Yes	Yes		
January 2018	1005711		Yes		
January 2018	1005716				Yes
January 2018	1005720	Yes			
January 2018	1005721			Yes	
January 2018	1005722				Yes
January 2018	1005728	Yes	Yes		
January 2018	1005729		Yes		
January 2018	1005733	Yes	Yes		
January 2018	1005743		Yes		
January 2018	1005751				Yes
February 2018	1005765				Yes
February 2018	1005781	Yes			
February 2018	1005791	Yes			
February 2018	1005792				Yes
February 2018	1005816	Yes			
February 2018	1005818				Yes
February 2018	1005846		Yes		
February 2018	1005851	Yes			
February 2018	1005853	Yes	Yes		
February 2018	1005854		Yes		
February 2018	1005859	Yes			
February 2018	1005862		Yes		
February 2018	1005867	Yes			
February 2018	1005873		Yes		
February 2018	1005875			Yes	
February 2018	1005878		Yes		
March 2018	1005884		Yes		

March 2018	1005888		Yes		
March 2018	1005892	Yes			
March 2018	1005896				Yes
March 2018	1005920	Yes	Yes		
March 2018	1005924	Yes			
March 2018	1005926	Yes			
March 2018	1005928	Yes			
March 2018	1005931	Yes			
March 2018	1005933		Yes		
March 2018	1005934			Yes	
March 2018	1005938		Yes		
March 2018	1005943	Yes	Yes		
March 2018	1005961				Yes
March 2018	1005968	Yes			
March 2018	1005982				Yes
March 2018	1005985		Yes		

CERTIFICATE OF MAILING

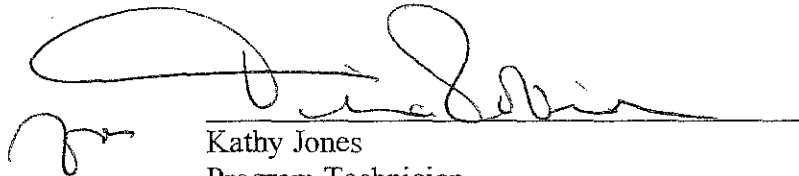
I certify that I sent a Finding of Violation, No. EPA-5-18-MOB-1, by Certified Mail,
Return Receipt Requested, to:

Art Martinez
PSP Diesel, LLC
1215 Iowa Street
South Houston, TX 77587

I also certify that I sent a Finding of Violation, by e-mail to:

Steve Thompson
Associate Director of Air/Toxics Inspection and Coordination Branch
Compliance Assurance and Enforcement Division
EPA Region 6
thompson.steve@epa.gov

On the 28th day of September 2018.


Kathy Jones
Program Technician
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 70170530000062887590